

**SANTAMARIA AFFIDAVIT
EXHIBIT E
PLAINTIFF'S DEPOSITION
PP 150-151**

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JANKOUSKY

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2 with other male branch managers did not result
3 in performance warning and items that other
4 male branch managers had done worse things.
5 And they were not given performance warnings.

6 Q Who did the things -- what male
7 branch managers did the things that you were
8 warned about in January?

9 MS. GOODELL: Objection to the form
10 of the question.

11 A Well, I consider failing an audit
12 worse.

13 Q Was that what you were criticized
14 for?

15 A No.

16 Q Were there any male branch managers
17 who did the things that you were accused of
18 doing that were not written up for it?

19 A I don't know.

20 Q Now in the --

21 A There is one more thing.

22 Q One more, go ahead.

23 A Then also I was put on a warning, a
24 performance warning, unjustified performance
25 warning, and also had my incentive

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2 compensation stated that they would possibly
3 not give it to me. And I would not get it
4 unless I was taken off performance warning.
5 This was optional and North Fork chose to do
6 that.

7 Q When you say it was optional, what
8 do you mean?

9 A To the best of my knowledge, that
10 wasn't a necessary thing to do.

11 Q Was it permitted under the
12 incentive plan?

13 A I believe it was permitted, but it
14 was my earned compensation. I earned it.

15 Q But when did you earn it?

16 A I earned it in 2006. In addition
17 to that I asked Paul Santamaria not to do that
18 because I have a learning disabled daughter
19 and I was using that for her tuition. She's
20 classified by the state.

21 Q Anything else?

22 A My attorney sent a letter in early
23 February, and about five or six weeks later I
24 was terminated before even the ninety day
25 period was up, and I was not given the money I